

REMARKS

By this amendment, claim 1 has been amended. Claims 1-6 remain in the application. Support for the amendments to the claim can be found the specification and drawings. No new matter has been added. This application has been carefully considered in connection with the Examiner's Action. Reconsideration, and allowance of the application, as amended, is respectfully requested.

Rejection under 35 U.S.C. §102

Claim 1 recites a high-pressure discharge lamp having a discharge vessel with an ionisable filling comprising a buffer gas and an excess amount of a metal halide, which is substantially formed by 8 mg Lil, the 8 mg Lil enabling the lamp to emit 15-20% of its radiation as blue light with a wavelength between 400 and 500 nm and on the order of 75% of its radiation as red light with a wavelength between 600 and 700 nm, the lamp having a coldest spot temperature T_{cs} during normal operation of at least 1200K.

Support for the amendments to claim 1 can be found in the specification at least on page 2, lines 23-26; and on page 5, lines 1-2.

Claims 1-5 were rejected under 35 U.S.C. § 102(b) as being anticipated by Geijtenbeek et al. (US 6,147,453). With respect to claim 1, Applicant respectfully traverses this rejection for at least the following reasons.

The PTO provides in MPEP § 2131 that
"[t]o anticipate a claim, the reference must teach every element of the claim...."

Therefore, with respect to claim 1, to sustain this rejection the Geijtenbeek reference must contain all of the above claimed elements of the respective claims. However, contrary to the examiner's position that all elements are disclosed in the

Geijtenbeek reference, the latter reference does not disclose “8 mg Lil enabling the lamp to emit 15-20% of its radiation as blue light with a wavelength between 400 and 500 nm and on the order of 75% of its radiation as red light with a wavelength between 600 and 700 nm” as is claimed in claim 1. Therefore, the rejection is not supported by the Geijtenbeek reference and should be withdrawn.

In addition, it is noted that the lamp of Geijtenbeek et al. (US 6,147,453) has drawbacks as is discussed in the instant application on at least page 1, lines 19-21, 24-28; and on page 2, lines 1-2. Furthermore, the instant claimed invention provides unexpected and surprising results as discussed in the instant application on at least page 2, lines 29-34; and on page 3, lines 1-12.

Accordingly, claim 1 is allowable and an early formal notice thereof is requested. Dependent claims 2-6 depend from and further limit independent claim 1 and therefore are allowable as well. Accordingly, the 35 U.S.C. § 102(b) rejection thereof has now been overcome.

Conclusion

Except as indicated herein, the claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserve their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or a continuation application.

It is clear from all of the foregoing that independent claim 1 is in condition for allowance. Dependent claims 2-6 depend from and further limit independent claim 1 and therefore are allowable as well.

The amendments herein are fully supported by the original specification and drawings; therefore, no new matter is introduced. An early formal notice of allowance of claims 1-6 is requested.

Respectfully submitted,

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